

#59
12/6/16

(O-2017-75)
(COR. COPY)

ORDINANCE NUMBER O- 20766 (NEW SERIES)

DATE OF FINAL PASSAGE DEC 1 6 2016

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 6,
DIVISION 8 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTIONS 26.0801, 26.0802, AND 26.0803
ALL RELATING TO THE CITIZENS ADVISORY BOARD
ON POLICE/COMMUNITY RELATIONS.

WHEREAS, in 1990, the City Council (Council) approved Ordinance No. O-17405,
establishing a Citizens Advisory Board on Police/Community Relations (CAB); and

WHEREAS, the CAB is listed as an inactive board on the list of inactive boards
maintained by the City Clerk and no appointments have been made to the CAB since 1999, with
no terms extending past January 1, 2001; and

WHEREAS, the CAB was established pursuant to San Diego Charter section 43(a) and
intended to be a permanent advisory board to the Mayor, City Council, and City Manager; and
the Council now seeks to amend San Diego Municipal Code to make updates to the powers and
duties of the CAB; and

WHEREAS, the amendments modify composition of the CAB, clarify responsibilities,
and specify that the CAB is a method of community participation in recommending and
reviewing policies, practices, and programs designed to make law enforcement sensitive,
effective and responsive to the needs of the City; and

WHEREAS, the Council intends appointments to be made by the Mayor and confirmed
by the Council as provided by the San Diego Municipal Code and Council Policy 000-13; NOW,
THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That Chapter 2, Article 6, of the San Diego Municipal Code is amended by amending sections 26.0801, 26.0802, and 26.0803 to read as follows:

§26.0801 Purpose and Intent

- (a) It is the purpose and intent of this ordinance to create a Citizens Advisory Board on Police/Community Relations, which shall study, consult and advise the Mayor, City Council and City Manager on Police/Community Relations crime prevention efforts.
- (b) This Board shall function as a method of community participation in recommending and reviewing policies, practices and programs designed to make law enforcement sensitive, effective and responsive to the needs of the City. It shall actively encourage and foster citizen participation in crime prevention activities.
- (c) It is further intended that this Board shall promote and encourage open communication and cooperation between the Police Department and residents of the City, recognizing the policing the City of San Diego is a shared responsibility. The Board shall also develop and make recommendations directed toward informing the community of its rights and responsibilities when coming into contact with police officers.

§26.0802 Citizens Advisory Board on Police/Community Relations Established

- (a) There is hereby created a Citizens Advisory Board on Police/Community Relations consisting of fifteen (15) members who shall serve without compensation. The members shall be appointed by the Mayor and

confirmed by the Council. The members shall serve for a two-year term and each member shall serve until his or her successor is duly appointed and qualified. The expiration date of all terms shall be January 1. During January of each year, the Mayor may designate one (1) member as chairperson; however, in the absence of such designation, the Board shall on or after February 15, select a chairperson from among their members. The members shall be appointed in such a manner so that the terms of not more than eight (8) members shall expire in any year. Any member missing three (3) or more consecutive meetings shall forfeit membership on the Board unless good and valid reasons for such absences are presented to and approved by the Council.

- (b) All members of the Citizens Advisory Board on Police/Community Relations shall be residents of the City of San Diego unless otherwise waived by the Council pursuant to Council Policy 000-13. The Board shall include one (1) representative from each Council district provided, however, that any Council Policy with respect to appointments to boards and commission, notwithstanding, the Mayor shall appoint these members of the Board by obtaining no more than three nominations from each Council district and appointing therefrom; and one (1) member shall be representative from a police employee group; one (1) member shall be a human relations expert; one (1) member shall be an expert on youth; and two (2) members shall be appointed from the fields of social service, corrections, probation, or other related fields. The City Manager or

designee, the Chief of Police or designee, and a Police Psychologist may serve as ex-officio, non-voting members of the Board. The City Manager shall provide appropriate staff support. The City Attorney shall provide appropriate legal services.

§26.0803 Duties and Functions

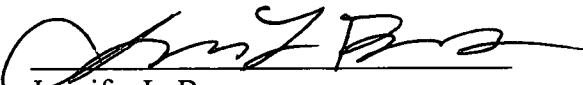
The Citizens Advisory Board on Police/Community Relations shall:

- (a) through (c) [No change in text.]
- (d) Review Police Academy and in-service training in human relations and make recommendations to the Mayor, City Council and City Manager.
- (e) Develop and recommend strategies to the Mayor, City Council and City Manager for improving City-wide crime prevention efforts.
- (f) Develop and recommend to the Mayor, City Council and City Manager strategies for increasing citizen participation in crime prevention efforts.
- (g) Develop and recommend to the Mayor, City Council and City Manager education programs designed to inform the public of its rights and responsibilities when coming into contact with police officers.
- (h) Develop and make recommendations to the Mayor, City Council and City Manager with respect to community oriented policing.
- (i) The specific study and review areas set forth above are to be considered as examples of the areas to be studied and reviewed and are not intended to be limitations.

Section 2. That a full reading of this ordinance is dispensed with prior to passage, a written copy having been made available to the Council and the public prior to the day of its passage.

Section 3. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Jennifer L. Berry
Deputy City Attorney

JLB:sc
11/02/2016
11/07/2016 COR. COPY
Or.Dept: City Council
Doc. No.: 1377774

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of DEC 06 2016.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12/14/16
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

(The date of final passage is December 16, 2016, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck-Out~~

NEW LANGUAGE: Double Underline

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§26.0801 Purpose and Intent

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- (b) This Board shall function as a method of community participation in recommending and reviewing policies, practices, and programs designed to make law enforcement sensitive, effective and responsive to the needs of the City. It shall actively encourage and foster citizen participation in crime prevention activities. ~~promote and encourage open communication and cooperation between the Police Department and residents of the City. The Board shall also develop and make recommendations directed toward informing the community of its rights and responsibilities when coming into contact with police officers.~~

- (c) It is further intended that this Board shall promote and encourage open communication and cooperation between the Police Department and residents of the City, recognizing the policing of the City of San Diego is a shared responsibility. The Board shall also develop and make recommendations directed toward informing the community of its rights and responsibilities when coming into contact with police officers.
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missing three (3) or more consecutive meetings shall forfeit membership on the Board unless good and valid reasons for such absences are presented to and approved by the Council.

- (b) All members of the Citizens Advisory Board on Police/Community Relations shall be residents of ~~t~~The City of San Diego unless otherwise waived by the Council pursuant to Council Policy 000–13. The Board shall include one (1) representative from each Council district provided, however, that any Council Policy with respect to appointments to boards and commissions, notwithstanding, the Mayor shall appoint these members of the Board by obtaining no more than three nominations from each Council district and appointing therefrom; and one (1) member shall be representative from a police employee group; one (1) member shall be a human relations expert; one (1) member shall be an expert on youth; ~~one~~ ~~(1) member shall be a member of the judiciary;~~ and two (2) members shall be appointed from the fields of social service, corrections, probation, or other related fields. The City Manager, Chief of Police or designee, and a ~~P~~police ~~P~~psychologist may serve as ex-officio, non-voting members of ~~said~~ the Board. The City Manager shall provide appropriate staff support. The City Attorney shall provide appropriate legal services ~~at each~~ meeting.

§26.0803 Duties and Functions

The Citizens Advisory Board on Police/Community Relations shall:

- (a) through (c) [No change in text.]

- ~~(d)~~ — Review the procedures currently used to investigate allegations of police misconduct and make recommendations to the Mayor, City Council and City Manager.
- ~~(e)~~(d) Review Police Academy and in-service training in human relations and make recommendations to the Mayor, City Council and City Manager.
- ~~(f)~~(e) Develop and recommend strategies to the Mayor, City Council and City Manager for improving City-wide crime prevention efforts.
- ~~(g)~~(f) Develop and recommend to the Mayor, City Council and City Manager strategies for increasing citizen participation in crime prevention efforts.
- ~~(h)~~(g) Develop and recommend to the Mayor, City Council and City Manager education programs designed to inform the public of its rights and responsibilities when coming into contact with police officers.
- ~~(i)~~(h) Develop and make recommendations to the Mayor, City Council and City Manager with respect to community oriented policing.
- ~~(j)~~(i) The specific study and review areas set forth above are to be considered as examples of the areas to be studied and reviewed and are not intended to be limitations.

JLB:sc
11/02/2016
11/07/2016 COR. COPY
Or.Dept: City Council
Doc. No.: 1377778

Passed by the Council of The City of San Diego on DEC 06 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 3 - (Vacant)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 16 2016.

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Gina Krueger, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

NOV 15 2016, and on DEC 16 2016.

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By Gina Krueger, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 20766